

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 7003

August 10, 2023

SUMMARY OF BILL: Expands the eligibility for filing a petition to obtain a lifetime order of protection to include victims of aggravated stalking and especially aggravated stalking. Effective October 1, 2023.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Pursuant to Tenn. Code Ann. § 36-3-627(a), the victim of certain felony offenses may be issued a lifetime order of protection. Those felony offenses include assaultive offenses, criminal homicide, kidnapping and/or false imprisonment, and sexual offenses.
- The proposed legislation expands eligibility for filing a petition of a lifetime order of protection to victims of aggravated stalking and especially aggravated stalking.
- A lifetime order of protection must: (a) prohibit the respondent from coming about the petitioner for any purpose, from telephoning, contacting, or otherwise communicating with the petitioner, directly or indirectly; (b) include a statement of the maximum penalty that may be imposed for violating such order; and (c) be valid and enforceable in any county of this state.
- In addition to any authorized punishments for contempt of court, a judge may assess any person who violates a lifetime order of protection a civil penalty of \$50. Upon collecting the civil penalty, the court clerks are required, on a monthly basis, to send the money to the State Treasurer who shall deposit it in the Domestic Violence Community Education Fund.
- Based on information provided by the Department of Correction, there has been an average of 11.2 admissions for aggravated stalking and an average of 0.8 admissions for especially aggravated stalking over the last five years.
- Due to the relatively low number of applicable offenders, any increase in workload to the courts as a result of this legislation can be accommodated within existing resources and personnel.
- It is not expected that there will be enough violations of a lifetime order of protection to significantly impact state revenue.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid.

Krista Lee Carsner, Executive Director

/vh